

**AGENDA**  
**PLANNING AND ZONING COMMISSION REZONING SUBCOMMITTEE**  
**March 2, 2016**

After determining that a quorum of the Planning and Zoning Commission Rezoning Subcommittee of the City of Denton, Texas is present, the Subcommittee will convene in a Regular Meeting on **Wednesday, March 2, 2016 at 5:30 p.m.** in the City Council Work Session Room, City of Denton City Hall, 215 East McKinney Street, Denton, Texas at which time the following items will be considered:

**REGULAR MEETING:**

1. Consider and appoint a member for the Planning and Zoning Commission Rezoning Subcommittee Chair and Vice-Chair positions.
2. Receive a report regarding the roles and procedures of the Planning and Zoning Commission Rezoning Subcommittee.
3. Receive a report regarding criteria for identifying properties for staff initiated re-zonings.
4. **FUTURE AGENDA ITEMS:** Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Planning and Zoning Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting.
5. **ADJOURN:**

NOTE: THE PLANNING AND ZONING COMMISSION RESERVES THE RIGHT TO ADJOURN INTO A CLOSED MEETING AT ANY TIME REGARDING ANY ITEM ON THE AGENDA FOR WHICH IT IS LEGALLY PERMISSIBLE.

NOTE: THE CITY OF DENTON CITY COUNCIL ROOM IS ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT A SIGN LANGUAGE INTERPRETER CAN BE SCHEDULED THROUGH THE CITY SECRETARY'S OFFICE.

**CERTIFICATE**

I certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Denton, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016 at \_\_\_\_\_ o'clock (a.m.) (p.m.)

\_\_\_\_\_  
CITY SECRETARY

NOTE: The City Council Work Session Room at City of Denton City Hall is handicap-accessible in accordance with the Americans with Disabilities Act. The City will provide sign language interpreters for the hearing impaired if requested at least 48 hours in advance of the scheduled meeting. Please call the City Secretary's office at (940) 349-8309 or use telecommunications devices for the deaf (TDD) by calling 1-800-RELAY-TX so that a sign language interpreter can be scheduled through the City Secretary's Office.



221 N. Elm Street, Denton, TX 76201  
\* Phone (940) 349-8541 \* FAX (940) 349-7707

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**Development Services Department**

MEMORANDUM

To: Planning and Zoning Commission Rezoning Subcommittee  
From: Ron Menguita, Long Range Planning Administrator  
Date: March 2, 2016  
Subject: Rezoning Subcommittee Roles and Procedures

The subject body is a subcommittee of the Planning and Zoning Commission. The role and procedure of the subcommittee is an extension of Section 10.03 of the Municipal Code. Per Section 10.03, the planning and zoning commission shall have the powers and duties of a planning and zoning commission under state law, including without limitation those under Chapters 211 and 212 of the Texas Local Government Code, as may be amended from time to time, and shall perform such other powers and duties as may be assigned by the council. The Planning and Zoning Commission may:

1. Make, amend, extend and add to the master plan for the physical development of the city.
2. Recommend to the council regulations governing the platting or subdividing of land within the city. (The applicable provisions of Chapter 212 of the Texas Local Government Code as now or hereafter amended, are hereby adopted and made a part of this charter, and shall be controlling on the planning and zoning commission.)
3. Make recommendations to the council regarding proposed changes to the official map of the city and keep such map up-to-date so as to reflect any changes in the boundary or the zoning plan of the city.
4. Make and recommend plans for the clearance and rebuilding of any slum districts or blighted areas within the city.
5. Make recommendations to the council regarding proposed changes in the zoning plan and ordinance of this city and have all the power, duty and authority of a zoning commission as provided in Chapter 211 of the Texas Local Government Code, as now or as hereinafter amended, all of which are hereby adopted as a part of this charter.
6. Submit annually to the City Manager prior to the beginning of the budget year, a list of recommended general obligation capital improvements which in the opinion of the Commission ought to be constructed during the forthcoming five (5) year period. (Such list shall be arranged in order of preference, with recommendations as to which projects



should be constructed in which year, and the City Manager shall forthwith furnish a copy of such recommendations to each member of the Council.)

7. Promote public interest in and understanding of the master plan and of planning, zoning, clearance of blighted areas and development of the city.
8. Meet not less than once each month and keep a public record of its resolutions, findings and determinations.
9. Hold such public hearings as it may deem desirable in the public interest and advise the council upon such matters as the council may request its advice.

The primary role of this subcommittee is to receive reports, hold discussions and make recommendations to the Planning and Zoning Commission regarding staff initiated rezoning requests.

For each meeting staff will prepare a report that will include background information of an area of the City where rezoning is necessary for the physical development of the area. It will also include an analysis of staff's rezoning recommendation. At the meeting the subcommittee will review and discuss the proposed rezoning request and then vote on a motion to move forward a recommendation of approval to the Planning and Zoning Commission.

At each meeting, discussions and votes will be recorded and minutes will be prepared. Future agendas will include minutes for the subcommittee to review and approve. These minutes will then be attached as an Exhibit on subsequent reports that will be forwarded to the Planning and Zoning Commission and ultimately to City Council.

To accomplish the purpose of this subcommittee, the subcommittee can suggest items for future agendas and request information for future meetings. In a separate Memorandum is a criteria that outlines how staff initiated rezoning properties should be identified.



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**Development Services Department**

MEMORANDUM

To: Planning and Zoning Commission Rezoning Subcommittee  
From: Ron Menguita, Long Range Planning Administrator  
Date: March 2, 2016  
Subject: Staff Initiated Rezoning Criteria

The Planning and Zoning Commission Rezoning Subcommittee was created for several reasons. The first reason is to implement the policies and actions of the Denton Plan 2030. Specifically policy 2.2 and Action 2.2.1, 2.2.2, and 2.2.3.

*2.2 Utilize the FLUM to guide all development review and re-zoning actions within the plan horizon.*

*2.2.1 Revise procedures for re-zoning decisions to require consistency with the FLUM.*

*2.2.2 Revise zoning districts for consistency with future land use designations.*

*2.2.3 Revise the Zoning Map for consistency with the Future Land Use Map. Involve the affected property owners and general public in this effort. Property owners will be properly notified before any action is taken.*

The second reason is to be proactive and consider multiple rezoning requests in a specific geographic area at one meeting. In the past, the Planning and Zoning Commission would consider a single rezoning request for a property at one meeting and then consider another property not too far away during another meeting. Although staff would always recommend that the applicant ask surrounding property owners to rezone their properties at the same time, surrounding property owners were not always prepared to rezone their property or wanted to share in the cost of rezoning.

With the implementation of the Long Range Planning Section, there is now staff dedicated to be proactive in identifying properties to rezone to be consistent with the Future Land Use Map and to work with multiple property owners to cooperatively rezone their properties concurrently. To accomplish this objective of the Long Range Planning Section, staff has developed a criteria for identifying properties for staff initiated rezonings.



Criteria for Identifying Properties for Staff Initiated Rezoning:

1. Properties that are inconsistent with the Future Land Use Map. The Future Land Use Map is an important component of the Land Use Element and serves as a guide in making development and rezoning decisions.
2. Properties that were incorrectly zoned in 2002. An example is where an established residential community was zoned for non-residential uses (e.g. EC-C or EC-I).
3. Properties that were annexed into the City and was never zoned (i.e. RD-5X).
4. Properties that need to be rezoned due to unforeseen circumstances. There has been a significant change of a physical nature, which was not anticipated when the property was zoned in 2002. An example is where a new roadway is constructed or widened.
5. Properties that need to be rezoned due to planning for a major public facility, a major source of employment, or an economic development.
6. Properties that need to be rezoned as recommended by a Small Area Plan or Corridor Plan.
7. Properties that need to be rezoned to protect environmentally sensitive areas.